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16 IN THE UNITED STATES DISTRICT COURT  
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18 FOR THE DISTRICT OF ARIZONA  
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20 PRESCOTT DIVISION

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22 CENTER FOR BIOLOGICAL DIVERSITY, et al., ) Civ. No. 08-8031-PCT-MHM  
23 Plaintiffs, )  
24 v. )  
25 LINDA WADLEIGH, et al., ) **THE PARTIES' STIPULATION AND**  
26 Federal Defendants, ) **JOINT MOTION TO STAY CASE**  
27 and ) **PENDING DISMISSAL**  
28 VANE MINERALS (US) LLC, )  
29 Defendant-Intervenor. )  
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31 \_\_\_\_\_ )

32 The Parties, by and through undersigned counsel, hereby respectfully request that the  
33 Court stay all proceedings and requirements in this case for 45 days or until the Parties file  
34 a stipulation of dismissal, whichever is sooner. Today, September 25, 2008, the Parties filed  
35 a "Settlement Agreement" that will completely resolve this litigation. See Dkt No. 71. In  
36 accordance with that Settlement Agreement, within 30 days the Forest Service will publish  
37 in the Federal Register a Notice of Intent to prepare an environmental impact statement

1 ("EIS") that will analyze and disclose the potential environmental effects for future  
2 exploratory uranium drilling and accompanying ground-disturbing activities at the seven sites  
3 that were part of the VANE Project. Dkt. No. 71 ¶ 2. Upon publication of that Notice of  
4 Intent in the Federal Register, the Parties will execute and file the Stipulation of Dismissal  
5 that is attached to the Settlement Agreement as Exhibit A, terminating this litigation. Dkt.  
6 No. 71 ¶ 5. A stay will therefore prevent the Parties from having to expend unnecessary time  
7 and resources on this litigation prior to the imminent dismissal of this case.

8 A proposed form of order accompanies this Stipulation and Joint Motion.

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10 Respectfully submitted this 25th day of September, 2008.  
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